

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

- (b) Was killed in action;
- (c) Died from a service-connected disability as a result of service;
- (d) At the time of death was totally and permanently disabled due to service-connected disability, but whose death was not related to the service-connected disability; or
- (e) Is a member of the Armed Forces on active duty who has been listed for more than 90 days as missing in action, captured or forcibly detained or interned in the line of duty by a foreign government or power.

The continuous residency requirement of this subparagraph does not apply to a person who is receiving educational benefits under this chapter on or before January 1, 2006.

Sec. 7. 37-B MRSA §508, as amended by PL 2013, c. 569, §4, is further amended by adding at the end a new paragraph to read:

A veteran service officer may not knowingly present or prosecute a fraudulent claim against the United States or knowingly provide false information to the United States; demand or accept unlawful compensation for preparing, presenting or prosecuting a claim or advising or consulting concerning a claim; or knowingly present to the United States Department of Veterans Affairs a frivolous claim, issue or argument. A claim, issue or argument is frivolous if the veteran service officer is unable to make a good faith argument on the merits of the position taken or to support the position taken by a good faith argument for an extension, modification or reversal of existing law.

See title page for effective date.

CHAPTER 109

H.P. 918 - L.D. 1324

An Act To Support Innovation, Entrepreneurship and Maine's Economic Future

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §15301, sub-§§1-A to 1-C are enacted to read:

1-A. Accelerator. "Accelerator" means a program that supports entrepreneurs by providing training, business assistance and mentors in a time-limited training program.

1-B. Entrepreneurial support system. "Entrepreneurial support system" means a network of or-

ganizations and programs in the State that facilitate entrepreneurial growth including capital providers, chambers of commerce, local governments, economic development organizations, universities, incubators and accelerators.

1-C. Incubator. "Incubator" means a program that supports entrepreneurs by providing training, business assistance and mentors and office, manufacturing or laboratory space.

Sec. 2. 5 MRSA §15301, sub-§2-A is enacted to read:

2-A. Technology transfer. "Technology transfer" means the disclosure, protection and licensing of intellectual property including patents, trademarks, copyrights and trade secrets.

Sec. 3. 5 MRSA §15303, sub-§6, ¶E, as enacted by PL 1999, c. 401, Pt. AAA, §3, is amended to read:

E. Shall cooperate with the Department of Economic and Community Development, ~~the Maine Science and Technology Foundation~~, the Maine Manufacturing Extension Program Partnership, the University of Maine System and others in their efforts to ensure that a complementary system of support services, including, as needed and appropriate, incubators, business assistance, technology transfer, market research, patent research and similar services, is in place and available to companies and research laboratories receiving funds from the institute.

Sec. 4. 5 MRSA §15303, sub-§7, as enacted by PL 1999, c. 401, Pt. AAA, §3, is amended to read:

7. Other duties and powers. The institute shall do all things necessary or convenient to carry out the lawful purposes of the institute under this chapter: and may establish and operate programs, including, but not limited to, the following:

A. A technology center pursuant to section 15322;

B. A program to promote and encourage the establishment, maintenance and operation of incubators and accelerators in the entrepreneurial support system by awarding grants and other forms of financial assistance to companies, nonprofit entities, economic development agencies, educational institutions, government agencies or other entities for programs that promote an entrepreneurial business environment or train or educate entrepreneurs. Support for a program under this paragraph must be awarded on a competitive basis, with effectiveness and effect on Maine's economy as the primary criteria. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305;

C. A program, in cooperation with the University of Maine System, to provide summer internship opportunities for college students in the entrepreneurial support system. Students must be selected on a competitive basis and be placed with companies, nonprofit entities, economic development agencies, educational institutions, government agencies or other entities in targeted technologies. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305;

D. A program, in collaboration with the Maine Innovation Economy Advisory Board under Title 10, section 949, to support the technology transfer activities of the University of Maine System, other postsecondary educational institutions in the State and nonprofit research institutes eligible for funding under an asset technology fund established and administered by the institute, to increase the level of patenting at the University of Maine System, other postsecondary institutions in the State and nonprofit research institutes and to promote the licensing of the patents, especially to new and existing companies with operations in the State. Support under this paragraph may include expenses associated with patenting and licensing. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305; and

E. A program in collaboration with the University of Maine School of Law to support the commercialization and manufacturing of innovations in the State by providing education and assistance with the patent process of the United States Patent and Trademark Office to companies, inventors and entrepreneurs in the State. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305.

Sec. 5. 5 MRSA §15322, sub-§2, ¶B, as enacted by PL 2011, c. 691, Pt. C, §4, is amended to read:

B. The Department of Economic and Community Development shall determine assistance criteria and desired program outcomes and establish an application process so that technology centers possessing personnel with applicable skills can be chosen to best deliver services to technology-based entrepreneurs within a respective area unless the technology centers are administered by the Maine Technology Institute pursuant to section 15303, subsection 7, paragraph A.

See title page for effective date.

CHAPTER 110

S.P. 468 - L.D. 1360

An Act To Conform the State Workforce Board and Workforce Development Programs to the Federal Workforce Innovation and Opportunity Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §1507, sub-§5-A, as amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4 and amended by c. 114, §1, is further amended to read:

5-A. Job development training. The Governor may allocate funds from such account in amounts not to exceed in total the sum of \$1,000,000 to provide funds for any unusual, unforeseen or extraordinary needs for state assistance in creating jobs by assisting in meeting the training requirements of labor-intensive new or expanding industries. Allocations for this purpose may be made from this fund by the Governor only upon the written request of the Commissioner of Labor and the Commissioner of Economic and Community Development and after consultation with the State Budget Officer. The commissioners' request to the Governor must be formulated subsequent to their consultation with the Commissioner of Education, the President of the Maine Community College System and the director of the appropriate local workforce investment area designated pursuant to the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128.

Sec. 2. 5 MRSA §1737, sub-§4, as amended by PL 2007, c. 84, §1, is further amended to read:

4. Directed services. Notwithstanding the provisions of subsection 2, the director may provide insurance advice or services for family foster homes as defined in Title 22, section 8101, subsection 3; specialized children's homes, as defined in Title 22, section 8101, subsection 5; respite care providers as defined in Title 34-B, section 6201, subsection 2-A; the Casco Bay Island Transit District created by Private and Special Law 1981, chapter 22; the University of Maine System; the Maine Community College System; the Maine Maritime Academy; and the State's local workforce investment areas designated under the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128. The director may provide insurance services for public schools as defined in Title 20-A, section 1, subsection 24 if the provisions of subsection 2 are met. Notwithstanding subsection 2, the director may provide insurance advice for public schools.